

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL MISC.APPLICATION No 1332 of 1998

For Approval and Signature:

Hon'ble MR.JUSTICE A.K.TRIVEDI

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

MULCHAND @ RAJKAMAL KHILAVAN YADAV

Versus

STATE OF GUJARAT

Appearance:

MR JB PARDIWALA for Petitioner
PUBLIC PROSECUTOR for Respondent No. 1

CORAM : MR.JUSTICE A.K.TRIVEDI

Date of decision: 22/04/98

ORAL JUDGEMENT

1. Heard Ld.Advocate Mr.J.B.Pardiwala appearing for the petitioner. Rule. Mr.N.D.Gohil, Ld.APP appearing for respondent-State waives service of rule.
2. Having regard to the facts and circumstances apparent from the material produced on record and specifically statement of the prosecutrix and medical

evidence produced on record vide page Nos 30 & 35 respectively without expressing any opinion about merits of the case it is ordered that the petitioner be admitted to bail in respect to Cr.Reg.No.238/97 registered at Valsad Rural PS on his executing a personal bond of Rs.10,000/- and on furnishing surety for the like amount to the satisfaction of the trial court and subject to following conditions that he shall:

- (a) not to take undue advantage of his liberty or misuse his liberty;
- (b) not to act in a manner injurious to the interest of the prosecution;
- (c) maintain law and order;
- (d) mark his presence before Valsad Rural Police Station on every 1st and 15th day of each month during the currency of this order, any time between 9.00 a.m. and 2.00 p.m.;
- (e) furnish the address of his residence at the time of execution of the bond and shall not change his residence without prior permission of this Court;
- (f) not enter into the local limits of village ATGAM without prior permission of this Court, but for attending the Court in connection with this case, he will be free to enter the limits for a period to that extent necessary and will leave the limits soon thereafter after the matter is adjourned.

If breach of any of the above conditions is committed, the Sessions Judge at Valsad will be free to issue warrant or take appropriate action in the matter. Rule is made absolute. DS permitted.

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